

IN RE: PETITION FOR ADMIN. VARIANCE	* BEFORE THE
S/S Offutt Court, 50' E of the	
c/l of Hernwood Road	* DEPUTY ZONING COMMISSIONER
(1 Offutt Court)	
2nd Election District	* OF BALTIMORE COUNTY
1st Councilmanic District	
	* Case No. 96-380-A
Stephen H. Costello, et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 1 Offutt Court, located in the vicinity of Hernwood Road and Old Court Road in Woodstock. The Petition was filed by the owners of the property, Stephen H. and Barbara P. Costello. The Petitioners seek relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory building (garage) height of 23 feet in lieu of the maximum permitted 15 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

It should be noted that the file indicated that this property was the subject of a violation. Upon further investigation of this matter, this Office was advised that the Petitioners had obtained a building permit to construct the subject garage, but were unaware of the height restrictions until just prior to completion of the structure. The Peti-

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

tioners were issued a Stop Work Order and subsequently filed the instant Petition for Administrative Variance.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

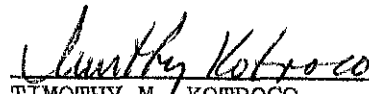
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of May, 1996 that the Petition for Administrative Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (garage) height of 23 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain

no living or sleeping quarters, and no kitchen or bathroom facilities.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

Mr. & Mrs. Stephen H. Costello
1 Offutt Court
Woodstock, Maryland 21163

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Offutt Court, 50' E of the c/l of Hernwood Road
(1 Offutt Court)
2nd Election District - 1st Councilmanic District
Stephen H. Costello, et ux - Petitioners
Case No. 96-380-A

Dear Mr. & Mrs. Costello:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. David Billingsley, Central Drafting & Design
601 Charwood Court, Edgewood, Md. 21040

People's Counsel

File

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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at # 1 Offutt Court

96-380-A

which is presently zoned R.C. 5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.3 to permit an accessory building (garage) in excess of 15 feet high

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

See Attached Brief

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

Stephen H. Costello

(Type or Print Name)

Signature

Barbara P. Costello

(Type or Print Name)

Signature

1 Offutt Ct.

461-5184

Address

Phone No

Woodstock

Md.

21163

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Central Drafting & Design

Name

601 Charwood Court

Edgewood, Md. 21040

679-8719

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JAM DATE: _____

ESTIMATED POSTING DATE: _____

4-23-96



Printed with Soybean Ink
on Recycled Paper

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ITEM #: _____

385

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at #1 Offutt Court
address

Woodstock,

Md.

21163

City

State

Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

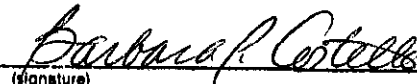
SEE ATTACHED

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.


(signature)

Stephen H. Costello
(type or print name)




(signature)

Barbara P. Costello
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of March, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Barbara P. Costello

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

March 27, 1996
date


NOTARY PUBLIC

My Commission Expires: 01-01-00

BRIEF TO ACCOMPANY REQUEST FOR
ADMINISTRATIVE VARIANCE
1 OFFUTT COURT

96-380-A

The petitioner is requesting permission to construct an accessory structure (garage) with a maximum height of 23 feet for the following reasons:

The owners wish to construct a two car detached garage which will be compatible with the structures in the immediate surrounding area. Additionally, the owners are seeking to create additional storage space above the garage. In order to satisfy both conditions, a design has been selected with varying roof pitches along with front and side window treatment. The building is aesthetically pleasing and will provide the additional storage needed by the owner. A copy of elevation view of the structure is enclosed with the application.

385

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CENTRAL DRAFTING AND DESIGN, INC.

601 CHARWOOD COURT
EDGEWOOD, MARYLAND 21040
(410) 679-8719 FAX (410) 538-6160

96-380-A

DESCRIPTION TO ACCOMPANY
REQUEST FOR ADMINISTRATIVE VARIANCE
#1 OFFUTT COURT

Beginning at a point on the south side of Offutt Court
(50 feet wide) at a distance of 50 feet east of the centerline
of Harnwood Road (50 Feet wide). Being lot 4 in the subdivision
of Offutt Manor as recorded in Baltimore County Plat Book 40
Folio 94 . Containing 2.64 acres more or less. Also known
as # 1 Offutt Court and located in the Second Election Dis-
trict, First Councilmanic District.

385

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CASE NUMBER: 96-380-A (Item 385)

1. Offutt Court

S/S of Offutt Court, 50 E of c/1 Herwood Road

2nd Election District - 1st Councilmanic

Legal Owner(s): Stephen H. Costello and Barbara P. Costello

Administrative Variance to permit an accessory building (garage) in excess of 15 feet high.

Post by:
4-14

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland 96-380-71

District 2nd

Posted for:

Edm. Varianes

Date of Posting

7/12/96

Petitioner:

Stephen M. Costello, et al
Appart Court

Location of property:

Location of Sign:

Remarks:

Posted by

Signature

Number of Signs:

Date of return:

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BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

385

No. 0.7066

96-380-A

DATE 4-4-96

ACCOUNT

PRO-6150

AMOUNT \$

85.00

RECEIVED
FROM:

STEVEN CASTLE

Admin. Var. (010)
Postage (080)

50.40

35.60

FOR:

85.00

\$85.00

MICROFILMED

01140040007MICHR

BA 0009132AM04-04-96

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

Jean



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 385 Petitioner: STEPHEN H & BARBARA P. COSTELLO

Location: #1 OFFUTT COURT

PLEASE FORWARD ADVERTISING BILL TO:

NAME: STEPHEN COSTELLO

ADDRESS: #1 OFFUTT COURT

WOODSTOCK, MD. 21163

PHONE NUMBER: 461-5184



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 10, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-380-A (Item 385)
1 Offutt Court
S/S of Offutt Court, 50' E of c/l Hernwood Road
2nd Election District - 1st Councilmanic
Legal Owner(s): Stephen H. Costello and Barbara P. Costello

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before April 14, 1996. The closing date (April 29, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Stephen and Barbara Costello
Central Drafting & Design

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 30, 1996

Stephen and Barbara Costello
1 Offutt Court
Woodstock, MD 21163

RE: Item No.: 385
Case No.: 96-380-A
Petitioner: Stephen Costello, et ux

Dear Mr. and Mrs. Costello:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 22, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



John A. ...

4/24/96
TO WCP
S

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: April 22, 1996

FROM: *Sub* Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 22, 1996
Item Nos. 376, 378, 381, 382, 384,
385, 386, & 388

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE7

MICROFILMED

2 1996

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4-17-96

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 4-15-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

376

378

379

380

381

382

383

385

388

LS:sp

LETTY2/DEPRM/TXTSBP

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/16/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 15, 1996.

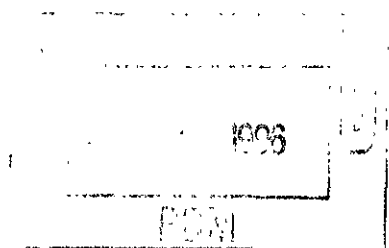
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 376, 378, 379, 382, 384, 385,
386 AND ~~387~~.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



Printed with Soybean Ink
on Recycled Paper



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

4-12-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 385 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-⁵⁴⁵⁻⁵⁵⁸¹~~333-1350~~ if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

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B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: April 10, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 365, 366, 368, 369, 371, 375, 376, 379, 382, 384, 385, 386 and 388

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey M. Long

Division Chief:

Carol L. Kerns

PK/JL

PETITION PROBLEMS

#385 --- JCM

1. Notary section is incomplete.

#384 --- JLL

1. Need councilmanic district.

#388 --- JCM

1. Need typed or printed name and title of person signing for contract purchaser.
2. Need authorization for person signing for contract purchaser.
3. Need authorization for whoever signed for attorney.

April 8, 1996

MICROFILMED

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: April 4, 1996

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I
Zoning Review, PDM

SUBJECT: Item #385
1 Offutt Road

Applicant was advised that "violation" cases should not proceed "administratively". Applicant insisted upon filing.

JCM:scj

*
MICROFILMED

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

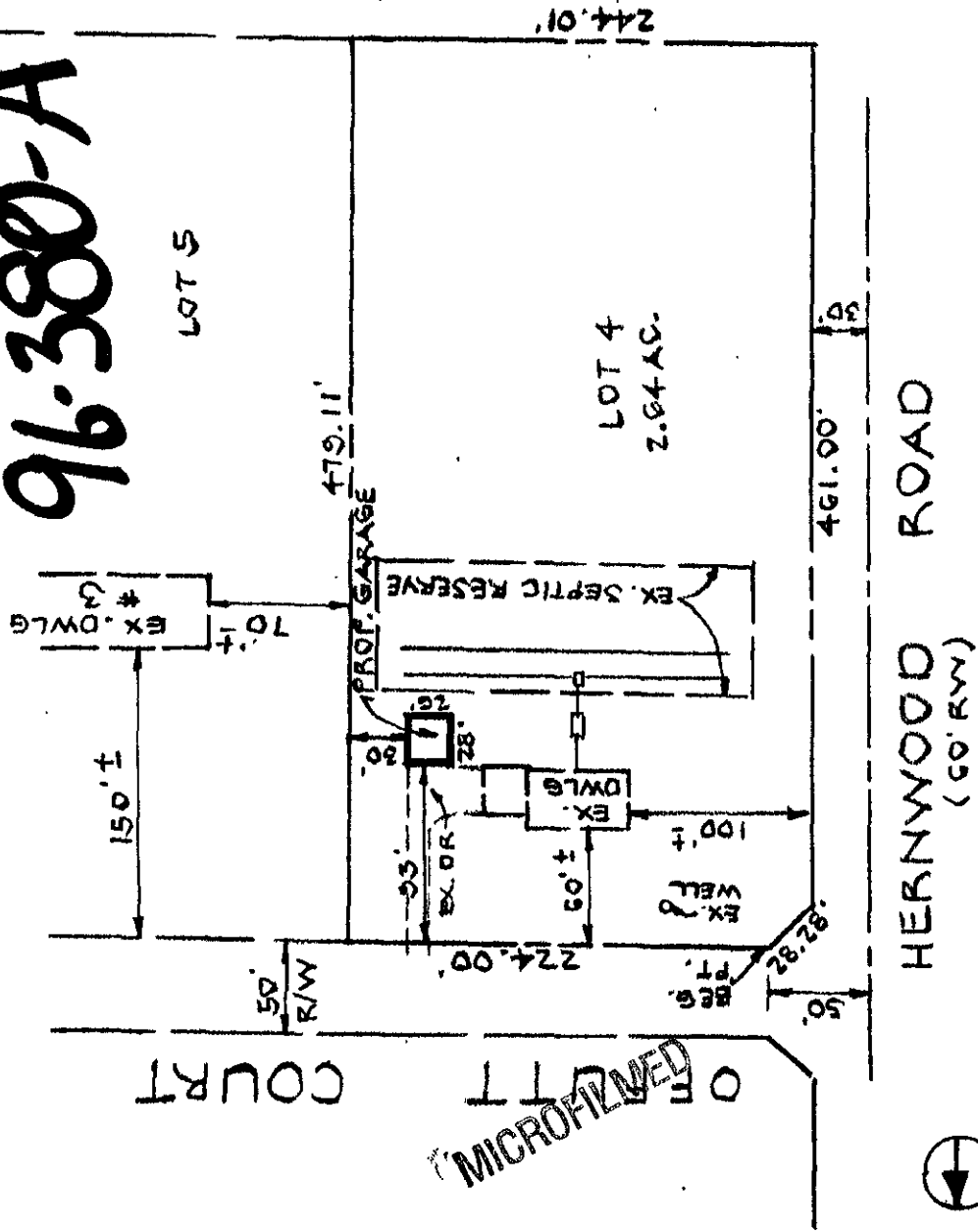
PROPERTY ADDRESS: #1 OFFUTT COURT see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: OFFUTT MANOR

plat book # 40, folio # 94, lot # 4, section #

OWNER: STEPHEN H & BARBARA P. COSTELLO

96-380-A



LOCATION INFORMATION

Election District: Z
 Councilmanic District: 1
 1"=200' scale map #: NW 5-L
 Zoning: R.C. 5
 Lot size: 2.64 acreage 114,098 square feet
 public private
 SEWER: ☐ ☒
 WATER: ☐ ☒
 Chesapeake Bay Critical Area: ☐ ☒
 Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: DW ITEM #: 385 CASE #:

North
 date: 3-15-96
 prepared by: D.W.B. Scale of Drawing: 1"= 100'

96-380-A

R. C. 2

R. C. 5

OFFUTT
MANOR

OFFUTT

CT.

R.

SITE

R. C. 5

RUINS

GRANITE

MICROFILMED BY W. 5-L

SCALE: 1" = 200'

MELROSE

AVE.

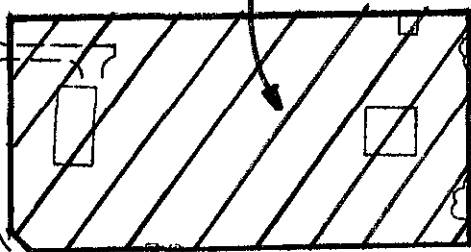
R.C.C.

125

PAUL

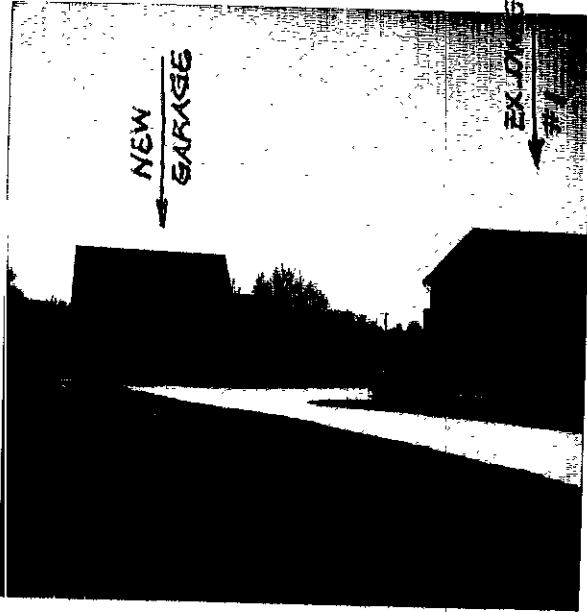
AVE.

ST.





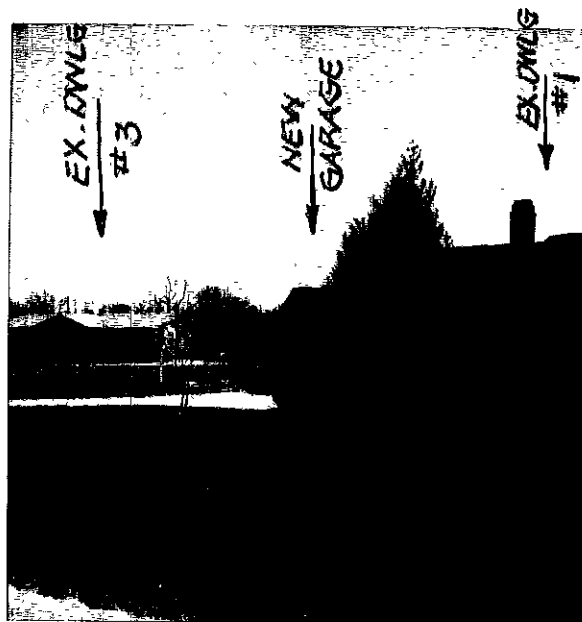
96-380-A



LOOKING SOUTH



LOOKING S.W.



LOOKING S.E.

385

MICROFILMED

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
5/3 Offutt Court, 50' E of the * DEPUTY ZONING COMMISSIONER
c/l of Hernwood Road (1 Offutt Court)
2nd Election District * OF BALTIMORE COUNTY
1st Councilmanic District * Case No. 96-380-A
Stephen H. Costello, et ux
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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tioners were issued a Stop Work Order and subsequently filed the instant Petition for Administrative Variance.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of May, 1996 that the Petition for Administrative Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (garage) height of 23 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain

no living or sleeping quarters, and no kitchen or bathroom facilities.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

Mr. & Mrs. Stephen H. Costello
1 Offutt Court
Woodstock, Maryland 21163

RE: PETITION FOR ADMINISTRATIVE VARIANCE
5/3 Offutt Court, 50' E of the c/l of Hernwood Road
(1 Offutt Court)
2nd Election District - 1st Councilmanic District
Stephen H. Costello, et ux - Petitioners
Case No. 96-380-A

Dear Mr. & Mrs. Costello:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

Timothy M. Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. David Billingsley, Central Drafting & Design
601 Charwood Court, Edgewood, Md. 21040

People's Counsel

File

ORDER RECEIVED FOR FILING
Date 5/10/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/10/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/10/96
By [Signature]

- 2 -

- 3 -



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at # 1 Offutt Court
96-380-A which is presently zoned B.C. S

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3 to permit an accessory building (garage) in excess of 15 feet high

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons. (Indicate hardship or practical difficulty)

See Attached Brief

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

City State Zipcode

Who do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

Stephen H. Costello

(Type or Print Name)

Barbara P. Costello

(Type or Print Name)

Barbara P. Costello

(Type or Print Name)

1 Offutt Ct. 461-5184

Address

Woodstock Md. 21163

City State Zipcode

Name Address and phone number of representative to be contacted

Central Drafting & Design

Name 601 Charwood Court

Edgewood, Md. 21040 679-8719

Address Phone No

City State Zipcode

A Public Hearing having been requested and/or found to be required, it is ordered, by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, and held in accordance with the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

Zoning Commissioner of Baltimore County

RECEIVED BY: SM DATE: 4-23-96
ESTIMATED FILING DATE: 4-23-96

Printed with Deception Ink
on Recycled Paper

ITEM #:

385

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) swear competently to testify; (herein in the event that a public hearing is scheduled in the future with regard thereto).

That the Affiant(s) do(es) presently reside at # 1 Offutt Court

Woodstock, Md. 21163

City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

SEE ATTACHED

That Affiant(s) acknowledge(s) that if a process is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature of Affiant(s)

Stephen H. Costello

(Type or Print Name)

Barbara P. Costello

(Type or Print Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss: I

I HEREBY CERTIFY, this 27th day of March, 1996, before me, a Notary Public of the State of Maryland, to and for the County aforesaid, personally appeared

Barbara P. Costello

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the contents and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

March 27, 1996

My Commission Expires: 01-01-00

BRIEF TO ACCOMPANY REQUEST FOR ADMINISTRATIVE VARIANCE # 1 OFFUTT COURT 96-380-A

The petitioner is requesting permission to construct an accessory structure (garage) with a maximum height of 23 feet for the following reasons:

The owners wish to construct a two car detached garage which will be compatible with the structures in the immediate surrounding area. Additionally, the owners are seeking to create additional storage space above the garage. In order to satisfy both conditions, a design has been selected with varying roof pitches along with front and side window treatment. The building is aesthetically pleasing and will provide the additional storage needed by the owner. A copy of elevation view of the structure is enclosed with the application.

385

CENTRAL DRAFTING AND DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MARYLAND 21040
(410) 679-8719 FAX (410) 538-6160

96-380-A

DESCRIPTION TO ACCOMPANY REQUEST FOR ADMINISTRATIVE VARIANCE #1 OFFUTT COURT

Beginning at a point on the south side of Offutt Court (50 feet wide) at a distance of 50 feet east of the centerline of Hernwood Road (50 feet wide). Being lot 4 in the subdivision of Offutt Manor as recorded in Baltimore County Plat Book 40 Folio 94. Containing 2.64 acres more or less. Also known as # 1 Offutt Court and located in the Second Election District, First Councilmanic District.

385

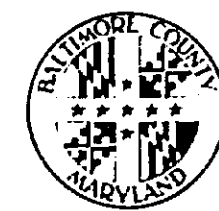
CASE NUMBER: 96-380-A (Item 385)
1 Offutt Court
S/S of Offutt Court, 50' E of c/l Harwood Road
2nd Election District - 1st Councilmanic
Legal Owner(s): Stephen H. Costello and Barbara P. Costello
Administrative Variance to permit an accessory building (garage) in excess of 15 feet high.

Post by:
4-14

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 4/12/96
Posted for: Adm. Variance
Petitioner: Stephen H. Costello, et al.
Location of property: 1 Offutt Court
Location of Sign: _____
Remarks: _____
Posted by: [Signature] Date of return: _____
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
4-4-96 ACCOUNT: RCI-6150
AMOUNT: \$ 85.00
RECEIVED BY: [Signature]
FROM: Adm. Var. (010) 35.00
FOR: Posting (080) 50.00
TOTAL: 85.00
VALIDATION OR SIGNATURE OF CASHIER: [Signature]



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 385 Petitioner: STEPHEN H. & BARBARA P. COSTELLO

Location: #1 OFFUTT COURT

PLEASE FORWARD ADVERTISING BILL TO:

NAME: STEPHEN COSTELLO

ADDRESS: #1 OFFUTT COURT

WOODSTOCK, MD. 21163

PHONE NUMBER: 461-5184



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 10, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-380-A (Item 385)
1 Offutt Court
S/S of Offutt Court, 50' E of c/l Harwood Road
2nd Election District - 1st Councilmanic
Legal Owner(s): Stephen H. Costello and Barbara P. Costello

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-1391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before April 14, 1996. The closing date (April 23, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Stephen and Barbara Costello
Central Drafting & Design

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 30, 1996

Stephen and Barbara Costello
1 Offutt Court
Woodstock, MD 21163

RE: Item No.: 385
Case No.: 96-380-A
Petitioner: Stephen Costello, et al.

Dear Mr. and Mrs. Costello:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 22, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-1391).

Sincerely,

M. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: April 22, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 22, 1996
Item Nos. 376, 378, 381, 382, 384,
385, 386, & 388

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HLJ:jrb

cc: File

ZONET

2-1996

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 4-15-96

DATE: 4-17-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

376
378
379
380
381
382
383
384
385
386
388

LS:sp

LETY2/DEPRM/TXTS8P

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/16/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 15, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 376, 378, 379, 382, 384, 385, 386 AND 388.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 385 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1356 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
for Televised Hearing or Speech

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: April 10, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):
Item Nos. 365, 366, 368, 369, 371, 375, 376, 379, 382, 384, 385, 386 and 388
If there should be any further questions or if this office can provide additional
information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*
Division Chief: *Gary L. Kenna*
PK/JL

ITEM365/PZONE/TXTJWL

PETITION PROBLEMS

#385 --- JCM

1. Notary section is incomplete.

#384 --- JLL

1. Need councilmanic district.

#388 --- JCM

1. Need typed or printed name and title of person signing for contract purchaser.
2. Need authorization for person signing for contract purchaser.
3. Need authorization for whoever signed for attorney.

April 8, 1996

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: April 4, 1996

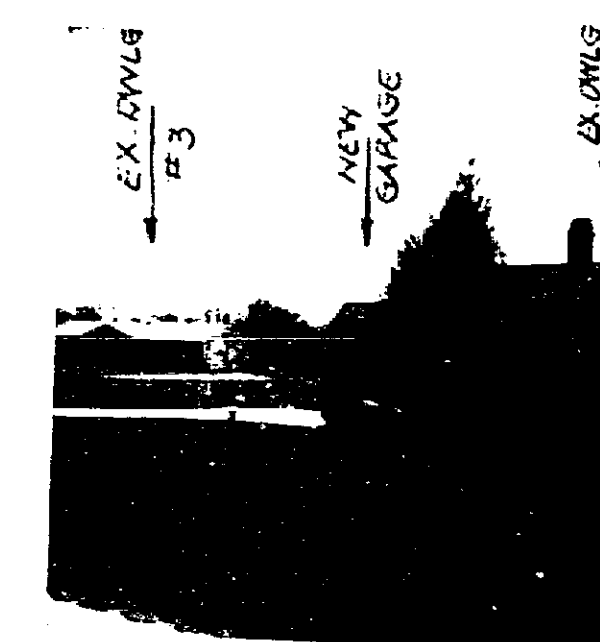
TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I
Zoning Review. PDM

SUBJECT: Item #385
1 Offutt Road

Applicant was advised that "violation" cases should not proceed
"administratively". Applicant insisted upon filing.

JCM:scj



385

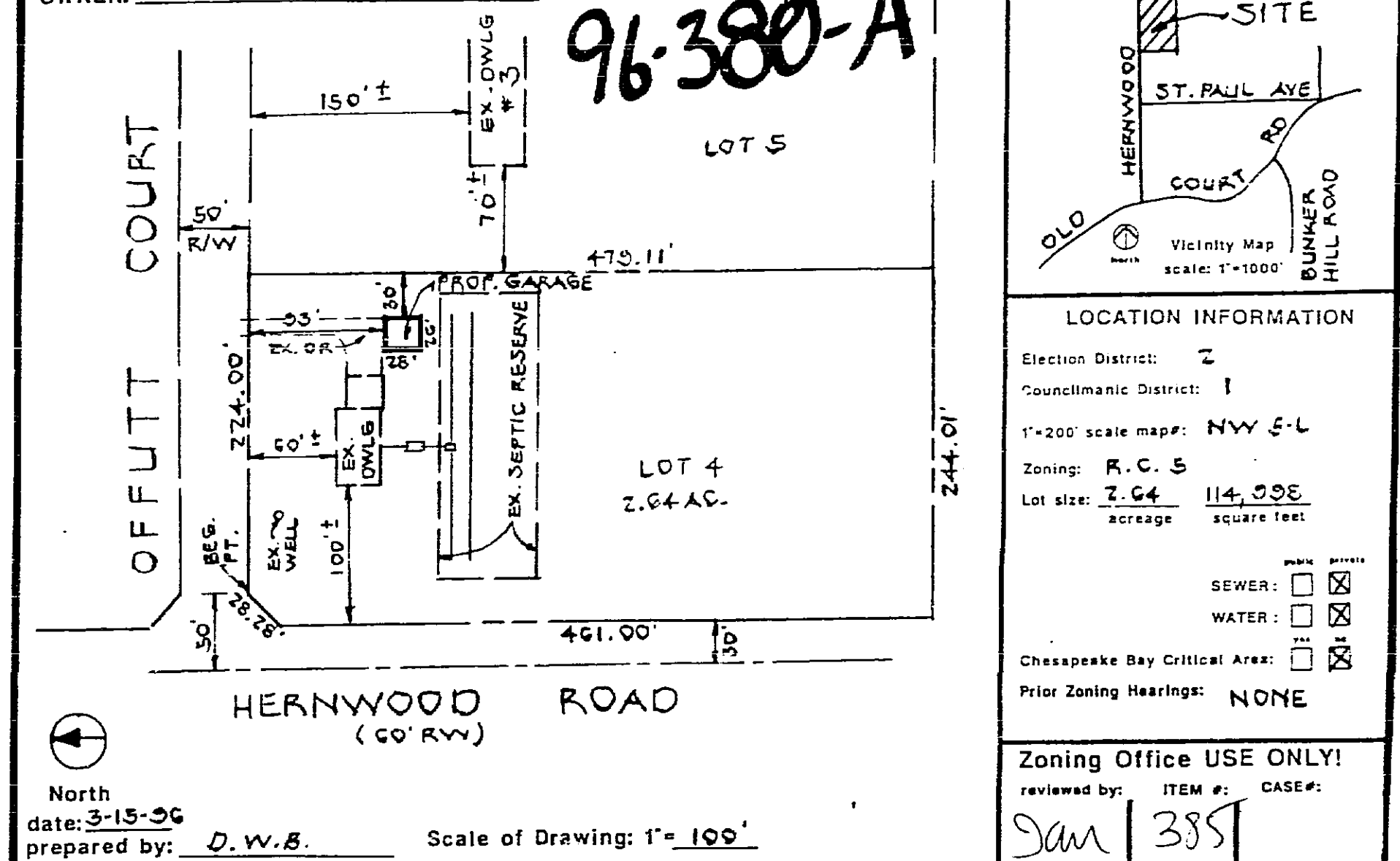
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1 OFFUTT COURT

Subdivision name: OFFUTT MANOR

plat book 40, folio 24, lot 4, section 4

OWNER: STEPHEN H. & BARBARA P. COSTELLO



LOCATION INFORMATION

Election District: 2

Councilmanic District: 1

1"=200' scale map: NW 5-L

Zoning: R.C. 5

Lot size: 2.64 AC.

114,000 SQUARE FEET

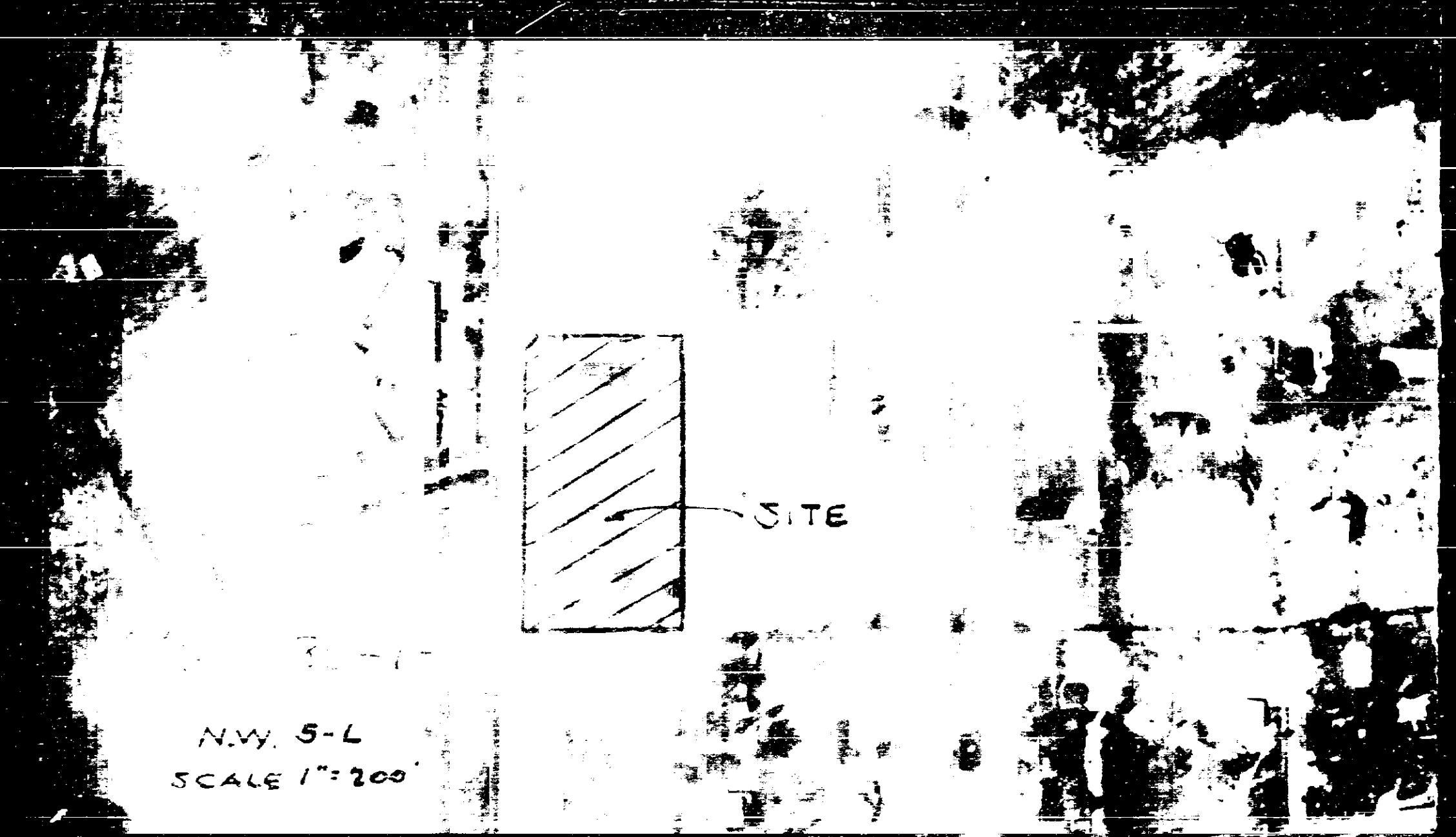
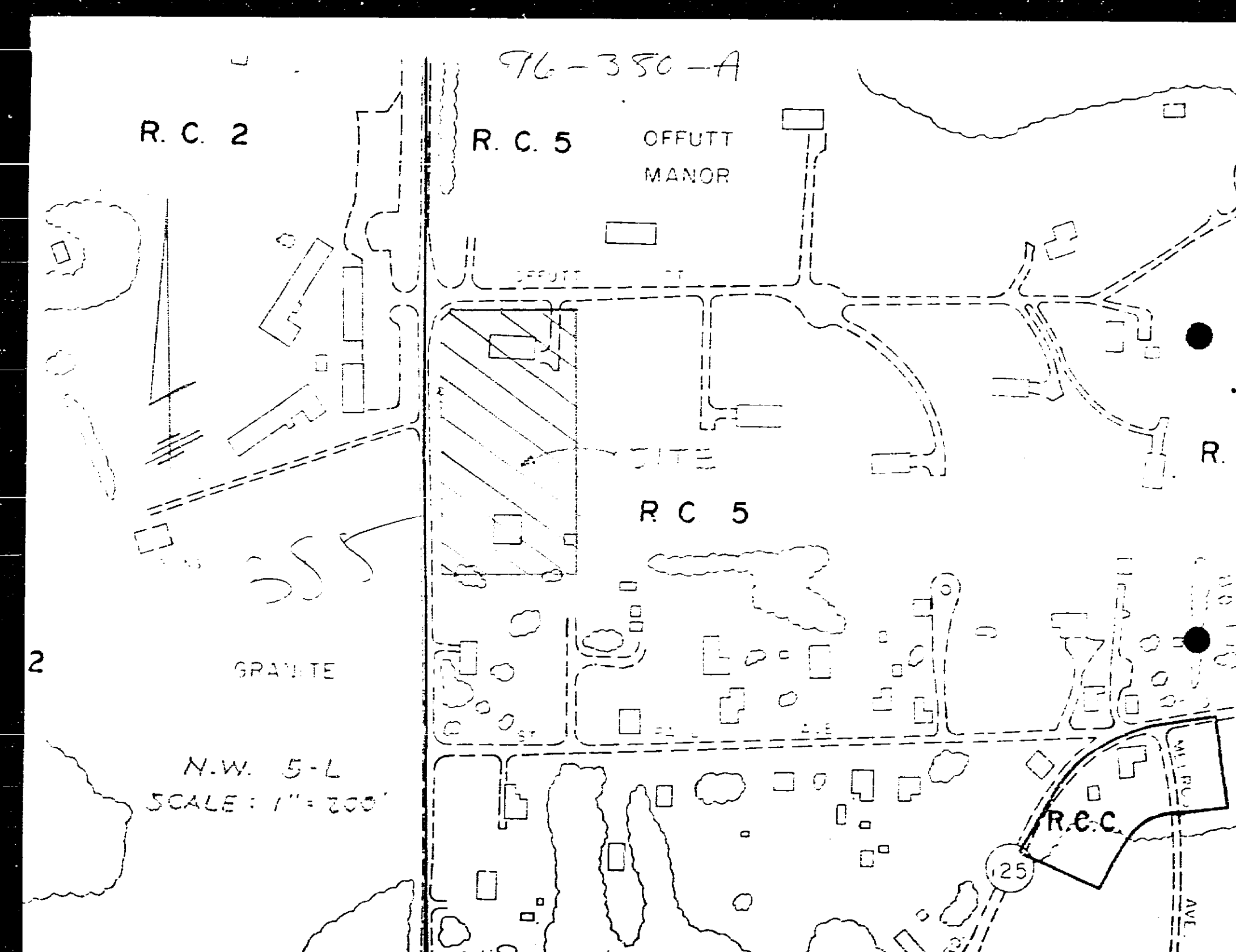
SEWER: ☒ WATER: ☒

Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: *Sam* ITEM #: 385 CASE#:





FRONT ELEVATION

SCALE 1/4" = 1'-0"



RIGHT ELEVATION

SCALE 1/4" = 1'-0"



REAR ELEVATION

SCALE 1/4" = 1'-0"



LEFT ELEVATION

SCALE 1/4" = 1'-0"

THE USE OF THESE PLANS AND DETAILS FOR CONSTRUCTION OR ANY OTHER PURPOSE WITHOUT WRITTEN PERMISSION FROM CAVCO HOMES, INC. IS PROHIBITED.
DO NOT SCALE THESE DRAWINGS. DIMENSIONS SHOULD BE READ OR CALCULATED AND NEVER SCALED.
ALL DIMENSIONS ARE TO ROUGH FRAMING UNLESS OTHERWISE INDICATED.
IT IS THE RESPONSIBILITY OF THE OWNER AND CONTRACTOR TO INSURE THAT THESE PLANS AND ALL WORK PERFORMED IS IN ACCORDANCE WITH ALL LOCAL CODES AND REGULATIONS.
OWNER AND CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS BEFORE CONSTRUCTION WORK IS STARTED. ANY DISCREPANCIES SHALL BE REPORTED TO CAVCO HOMES, INC. DRAFTING DEPARTMENT FOR JUSTIFICATION AND/OR CORRECTION BEFORE WORK IS PERFORMED. OWNER AND CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ERRORS THAT ARE NOT REPORTED TO CAVCO HOMES, INC. DRAFTING DEPARTMENT FOR JUSTIFICATION AND/OR CORRECTION.



CAVCO HOMES, INC.

P.O. BOX 75
12105 WARLEVILLE RD.
CAVETOWN, MD 21120
PHONE: (301) 733-7940
FAX #: (301) 824-3944

DIVISION OF CAVCO HOMES
PLANNING AND DESIGN

CUSTOMER

MR./MRS. STEVE COSTELLO

01 OFFUTT COURT
GRIFFIN, MD. 21163

REVISIONS

DATE

REMARKS

DWG. NO.

QUOTE NO.

ORDER NO.